

## REMARKS

By this Preliminary Amendment claims 1-28 and 37 are cancelled without prejudice or disclaimer. Claims 29-33 and 35-36 have been amended. New claims 38 and 39 have been added. The claims now pending are claims 29-36 and 38-39. Support for the amendments may be found in the specification and claims as originally filed. No statutory new matter has been added. Entry of this Preliminary Amendment is respectfully requested.

In the Office action mailed 14 November 2002, in the parent case of the present application (USSN 09/848,370), the Examiner required a restriction as follows:

- I. Claims 1-9, drawn to an assay for detecting, measuring or monitoring the activity or concentration of a protein.
- II. Claims 10-22, drawn to an assay for detecting, measuring or monitoring the activity or concentration of acetylcholinesterase and/or butyrylcholinesterase.
- III. Claim 23, drawn a method of detecting or confirming whether a subject was exposed to an agent.
- IV. Claim 24, drawn a method of determining the identity of an agent.
- V. Claim 25, drawn a method of determining the efficacy or monitoring the progress of a treatment regime.
- VI. Claims 26 and 30, drawn to a method of determining whether a subject suffers from drug sensitivity or disease.
- VII. Claim 27, drawn to a method of measuring the concentration of red blood cells in a subject.
- VIII. Claim 28, drawn to a method of screening for a candidate compound.
- IX. Claim 29, drawn to a device for detecting, measuring or monitoring the activities or concentrations of acetylcholinesterase and/or butyrylcholinesterase.
- X. Claims 31-34, drawn to a kit for detecting, measuring or monitoring the activities or concentrations of acetylcholinesterase and/or butyrylcholinesterase.
- XI. Claim 35, drawn to a biosensor.
- XII. Claims 36 and 37, drawn to a database of sensitivity coefficients.

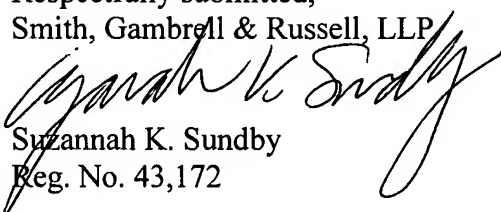
The Examiner explained that Inventions I-VIII are different and distinct because they involve different method steps, starting materials, reagents, and/or reaction conditions and/or produce different products or results.

Applicants hereby elect to prosecute the claims of Invention X, the device, with traverse. Applicants have amended the claims of Inventions XI-XII such that the claims depend from the claims directed to the device. Therefore, Applicants respectfully request that the claims as amended herein be examined together.

### CONCLUSION

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. **210-380**, referencing Attorney Docket No. **034047.003.1 (WRAIR 01-11)**.

Respectfully submitted,  
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Date: 26 January 2004  
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